IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3496 OF 2002
IN
SUMMARY SUIT NO.5583 OF 1999

Bank of Baroda. ..Plaintiff.

V/s.

Shah Concabs Pvt.Ltd. ..Defendant.

Mr.Sachin Satpute i/b. Satpute & Co. for plaintiff.

Mr.Anoop Sharma i/b. S.M.Kazi for defendant.

CORAM: A.M.KHANWILKAR,J

DATE : JULY 24, 2007.

P.C. :

1. Although this Motion is opposed by the counsel for the plaintiffs, however, it is submitted that if at all indulgence is to be shown to the defendants, that be on condition that the defendants shall pay costs to the plaintiff quantified at Rs.5,000/-.

2. In the circumstances, Notice of Motion is made absolute in terms of prayer clause (a) on condition that the defendants shall pay costs quantified at Rs.5,000/- to be paid to the plaintiff within two weeks from today. Payment of cost is the condition precedent.

3. Written Statement be taken on record, subject to compliance of above condition.

(A.M.KHANWILKAR,J)